27.   (Amended) The memory of claim 19 wherein the driver is loaded by an operating system.

REMARKS

Applicant respectfully requests reconsideration of the present U.S. Patent application. Claims 10-18 stand rejected under 35 U.S.C. § 112, second paragraph. Claims 1-27 stand rejected under 35 U.S.C. § 103. Claims 3, 10-12, 16 and 19-27 have been amended. No claims have been canceled or added. Therefore, by this amendment, claims 1-27 remain pending.

Claim Rejections - 35 U.S.C. § 112

Claims 10-18 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, because of claim 10. Claim 10 has been amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claim 10 under 35 U.S.C. § 112, second paragraph.

Claims 11-18 depend from claim 10. Because dependent claims include the limitations of the claims from which they depend, Applicant submits that the rejection under 35 U.S.C. § 112, second paragraph, has been overcome with regard to claims 11-18.

<u>Claim Rejections - 35 U.S.C. § 103</u>

<u>Rejection of claims 1-2, 4-11, 13-20 and 22-27 based on *Pecone*</u>

Claims 1, 2, 4-11, 13-20 and 22-27 were rejected under 35 U.S.C. § 103(a) as

being unpatentable over U.S. Patent No. 5,604,871 issued to Pecone (*Pecone*). For at

least the reasons set forth below, Applicant submits that claims 1, 2, 4-11, 13-20 and 22-

27 are not rendered obvious by *Pecone*.

Claim 1 recites the following:

a motherboard to have a chipset coupled thereto;
a memory to store a sequence of instructions, the memory coupled with the
motherboard; and
a riser card coupled with the motherboard, the riser card having a circuit thereon
that interacts with a corresponding portion of the chipset to provide a functionality to the
system, the riser card also having a memory to store one or more indications of the
functionality;
the sequence of instructions to cause a driver to be loaded based, at least in part,
on the one or more indications.

Claim 10 is an apparatus claim that recites similar limitations. A proper rejection

under 35 U.S.C. § 103 requires that a prior art reference, or references when combined,

must teach or suggest all of the claim limitations of the rejected claim. See MPEP §

2143.

Pecone discloses a set of connectors on a computer system motherboard that are

connected to all data, address, control, power and ground signals necessary to expand the

computer system, and a riser card having desired interface connectors and logic circuits.

See col. 2, lines 49-54. When a consumer purchasing the computer system is ready for

additional features, a riser card equipped with the desired feature upgrade is plugged into

the motherboard connectors. See col. 2, lines 61-64. However, *Pecone* fails to disclose a

sequence of instructions to cause a driver to be loaded based, at least in part, on one or

more indications of functionality. Thus, *Pecone* fails to teach or suggest all the limitations of claims 1 and 10. Consequently, claims 1 and 10 are not rendered obvious by *Pecone* for at least the reasons set forth above. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claims 1 and 10 under 35 U.S.C. § 103.

As indicated above, Applicant agrees with Examiner's assertion that *Pecone* fails to disclose a sequence of instructions to cause a driver to be loaded based, at least in part, on one or more indications of functionality, as disclosed in claims 1 and 10. See Office Action, page 3, last sentence – page 4, line 1. However, Examiner asserts that it would have been obvious to modify *Pecone* to include a driver, because the driver "would specifically load the required code in order to make the claimed system functional." See Office Action, page 4, lines 1-5. Assuming for the sake of argument, but explicitly without agreeing with Examiner, that it would be obvious to include a driver in *Pecone*, merely including a driver is not including a sequence of instructions to cause a driver to be loaded based, at least in part, on one or more indications of functionality.

Claims 2 and 4-9 depend from claim 1. Claims 11 and 13-18 depend from claim 10. Claims 20 and 22-27 depend from claim 19. Because dependent claims include the limitations of the claims from which they depend, Applicant submits that claims 2, 4-9, 11, 13-18, 20 and 22-27 are not rendered obvious by *Pecone* for at least the reasons set forth above.

Claim 19 recites the following:

A memory comprising an interface to couple with a riser card, the riser card having a circuit thereon that interacts with a corresponding portion of a chipset to provide a functionality to a system, the memory to store one or more indications of the

functionality, wherein a driver is loaded based, at least in part, on the one or more indications of the functionality.

As explained above, *Pecone* does not disclose a memory to store one or more indications of the functionality of a system, wherein a driver is loaded based, at least in part, on the one or more indications of the functionality. Consequently, claim 19 is not rendered obvious by *Pecone* for at least the reasons set forth above. Applicant therefore respectfully requests that the Examiner withdraw the rejection of claim 19 under 35 U.S.C. § 103.

Rejection of claims 3, 12 and 21 based on *Pecone* in view of *IBM Technical Bulletin*

Claims 3, 12 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Pecone*, in view of IBM technical disclosure *Enhanced Riser Card with Expansion Function Capability for Personal Computer*, Technical Disclosure Bulletin, July 1994 (*IBM*). For at least the reasons set forth below, Applicant submits that claims 3, 12 and 21 are not rendered obvious by *Pecone* in view of *IBM Technical Bulletin*.

As explained above, *Pecone* fails to disclose a sequence of instructions to cause a driver to be loaded based, at least in part, on one or more indications of functionality, as disclosed in claims 1 and 10. In addition, *Pecone* fails to disclose memory to store one or more indications of the functionality of a system, as disclosed in claim 19.

IBM discloses a riser card that provides an interconnection between adapter cards and a planar board (defined as a large printed circuit board). See page 2, lines 20-21. The riser card includes basic input/output software (BIOS) extension circuitry that consists of a socket to hold various types of memory. See page 2, lines 21-24. However, *IBM* fails to disclose a sequence of instructions to cause a driver to be loaded based, at

least in part, on one or more indications of functionality, as disclosed in claims 1 and 10.

Thus, *IBM* fails to cure the deficiencies of *Pecone* described above. Consequently,

Pecone in view of *IBM* fails to teach or suggest all the limitations of claims 1 and 10.

Claim 3 depends from claim 1. Claim 12 depends from claim 10. Because dependent

claims include the limitations of the claims from which they depend, Applicant submits

that claims 3 and 12 are not rendered obvious by *Pecone* in view of *IBM* for at least the

reasons set forth above.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been

overcome. Therefore, claims 1-27 are in condition for allowance and such action is

earnestly solicited. The Examiner is respectfully requested to contact the undersigned by

telephone if it is believed that such contact would further the examination of the present

application.

Please charge any shortages and credit any overcharges to our Deposit Account

number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: Feb. 25, 2003

Joseph A. Pugh
Reg. No. 52,137

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, CA 90025-1030
(310) 207-3800

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1.   (Unchanged) A system comprising:

a motherboard to have a chipset coupled thereto;

a memory to store a sequence of instructions, the memory coupled with the

motherboard; and

a riser card coupled with the motherboard, the riser card having a circuit thereon

that interacts with a corresponding portion of the chipset to provide a functionality to the

system, the riser card also having a memory to store one or more indications of the

functionality;

the sequence of instructions to cause a driver to be loaded based, at least in part,

on the one or more indications.

2.   (Unchanged) The system of claim 1 wherein the riser card is coupled with

the motherboard via a slot interface having pins corresponding to one or more

predetermined industry standards.

3.   (Amended) The system of claim 1 wherein the memory of the riser card is

a read-only memory (ROM) and [the] a boot sequence is a basic input/output system

(BIOS).

4.   (Unchanged) The system of claim 1 wherein the functionality comprises

one or more audio codecs.

5.   (Unchanged) The system of claim 1 wherein the functionality comprises one or more modem codecs.

6.   (Unchanged) The system of claim 1 wherein the functionality comprises support for one or more Universal Serial Bus devices.

7.   (Unchanged) The system of claim 1 wherein the functionality comprises support for one or more SMBus devices.

8.   (Unchanged) The system of claim 1 wherein the functionality comprises networking functionality.

9.   (Unchanged) The system of claim 1 wherein the driver is loaded by an operating system.

the motherboard further having a memory coupled thereto

10.   (Amended) A riser card comprising:

[a] an interface to allow the riser card to be coupled with a motherboard having a chipset coupled thereto, the motherboard further having a memory coupled thereto to store a sequence of instructions to cause a driver to be loaded based, at least in part, on one or more indications of a functionality provided to a system;

[a memory to store a sequence of instructions, the memory coupled with the motherboard; and]

[a riser card coupled with the motherboard, the riser card having] a circuit [thereon] that interacts with a corresponding portion of the chipset to provide [a] the functionality to the system[, the riser card also having a memory to store one or more indications of the functionality]; and

[the sequence of instructions to cause a driver to be loaded based, at least in part, on the one or more indications] a memory to store the one or more indications of the functionality.

11.   (Amended) The riser card of claim 10 wherein the riser card is coupled with the motherboard via a slot interface having pins corresponding to one or more predetermined industry standards.

12.   (Amended) The riser card of claim 10 wherein the memory [on the riser card] is a read-only memory (ROM) and [the] a boot sequence is a basic input/output system (BIOS).

13.   (Amended) The riser card of claim 10 wherein the functionality comprises one or more audio codecs.

14.   (Amended) The riser card of claim 10 wherein the functionality comprises one or more modem codecs.

15.   (Amended) The riser card of claim 10 wherein the functionality comprises support for one or more Universal Serial Bus devices.

16.   (Amended) The [method] <u>riser card</u> of claim 10 wherein the functionality comprises support for one or more SMBus devices.

17.   (Amended) The <u>riser</u> card of claim 10 wherein the functionality comprises networking functionality.

18.   (Amended) The <u>riser</u> card of claim 10 wherein the driver is loaded by an operating system.

19. . (Amended) A memory comprising an interface to couple [to] <u>with</u> a riser card, the riser card having a circuit thereon that interacts with a corresponding portion of [the] <u>a</u> chipset to provide a functionality to [the] <u>a</u> system, the memory to store one or more indications of the functionality, <u>wherein a driver is loaded based, at least in part, on the one or more indications of the functionality.</u>

20.   (Amended) The memory of claim 19 wherein the riser card is coupled with [the] <u>a</u> motherboard via a slot interface having pins corresponding to one or more predetermined industry standards.

21.   (Amended) The [card] <u>memory</u> of claim 19 wherein the memory is a read-only memory (ROM).

22.   (Amended) The [card] <u>memory</u> of claim 19 wherein the functionality comprises one or more audio codecs.

23.   (Amended) The [card] <u>memory</u> of claim 19 wherein the functionality comprises one or more modem codecs.

24.   (Amended) The [card] <u>memory</u> of claim 19 wherein the functionality comprises support for one or more Universal Serial Bus devices.

25.   (Amended) The [card] <u>memory</u> of claim 19 wherein the functionality comprises support for one or more SMBus devices.

26.   (Amended) The [card] <u>memory</u> of claim 19 wherein the functionality comprises networking functionality.

27.   (Amended) The [card] <u>memory</u> of claim 19 wherein the driver is loaded by an operating system.